UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/CN.4/478/Rev.1
8 April 1999
ENGLISH
ORIGINAL: FRENCH

INTERNATIONAL LAW COMMISSION
Fifty-first session
Geneva, 3 May-23 July 1999

SECOND REPORT ON RESERVATIONS TO TREATIES

by

Mr. Alain Pellet, Special Rapporteur

ANNEX I

BIBLIOGRAPHY CONCERNING RESERVATIONS TO TREATIES

The bibliography concerning reservations to treaties is very extensive. The one contained in this annex does not seek to be exhaustive and the Special Rapporteur would be grateful for any additional references, particularly in the languages he does not read.

In principle, the following pages feature only works dealing directly with reservations, except for general works on international law (manuals and treaties) and those on the law of treaties in general.

This bibliography has been prepared with the help of Mr. Kegham Tamamian, a researcher at the Nanterre International Law Centre (CEDIN), and updated with the help of Mrs. Sia Åkermark-Spiliopoulou, lecturer at the Faculty of Law of Uppsala, and Miss Wiebke Rückert, assistant lecturer at Humboldt University in Berlin, to whom the Special Rapporteur wishes to express his warm thanks.

Format of the bibliography

		Page
A.	GENERAL STUDIES ON RESERVATIONS	4
B.	STUDIES ON PARTICULAR ASPECTS OF THE PROBLEMS OF RESERVATIONS	10
1.	Lawfulness, opposability and effects of reservations	10
(a)	Pan-American practice	10
(b)	Commentaries on the 1951 ICJ Advisory Opinion	11
(c)	Commentaries on the work of the ILC in regard to reservations	11
(d)	Commentaries on the provisions of the Vienna Convention on the Law of Treaties	12
(e)	Consolidated studies	13
2.	Reservations to specific conventions	14
(a)	Reservations and human rights and humanitarian law conventions	14
(i)	General problems	14
(ii)	Reservations to particular human rights or humanitarian law conventions	16
•	Geneva Conventions	16
•	European Convention on Human Rights	17
•	International Covenant on Civil and Political Rights	18
•	Convention on the Elimination of All Forms of Discrimination against Women	19
•	Convention on the Rights of the Child	20
•	Other human rights conventions	20
(b)	Reservations to other codification conventions	21
(i)	General problems	21
(ii)	Reservations to private international law conventions	21

Page

(iii) Reservations to specific conventions 22

- Law of Treaties 22

- Law of the Sea 22

(c) Reservations to other specific conventions 23

(d) Reservations to the optional clause concerning compulsory jurisdiction of the ICJ 24

3. Study of practice concerning reservations 25

(a) State practice 25

(b) Practice of international organizations 26

A. GENERAL STUDIES ON RESERVATIONS

Anonymous. "Reservations to Treaties. International Legal Implications", Buffalo Law Review, 1955, pp. 218-232.

Anonymous. "Problems of Reservations in Multilateral Conventions", Albany Law Review, vol. 30, January 1966, pp. 100 et seq.

ANAND, R. P. "Reservations to Multilateral Conventions", Indian Journal of International Law, vol. 1, July 1960, pp. 84-91.

ANDERSON, Chandler P. "The Ratification of Treaties with Reservations", American Journal of International Law, vol. 13, 1919, pp. 526-530.

ANDERSON, D. R. "Reservations to Multilateral Conventions: A Re-examination", International and Comparative Law Quarterly, vol. 13, 1964, pp. 450-481.

BALDONI, C. "Le riserve nelle convenzioni collettive", Rivista di diritto internazionale, vol. 21, 1929, pp. 356-370.

BALDONI, C. "Zur Theorie und Praxis der Vorbehalte in den Staatsverträgen", Internationale Zeitschrift für Theorie des Rechts, vol. 4, 1929/1930, pp. 178-192.

BALLADORE-PALLIERI, Giorgio. "Appunti sul problema delle riserve nelle convenzioni collettive", Annuali di diritto internazionale, Milan, vol. 11, 1953, pp. 15-31.

BALLADORE-PALLIERI, Giorgio. "Apuntes sobre el problema de las reservas en las convenciones colectivas", Escuela de Funcionarios Internacionales. (Cursos y conferencias), tomo 1, 1955-56, pp. 77-98.

BELAUNDE-MOREYRA, Antonio. "Las reservas a las convenciones multilaterales", Revista peruana de derecho internacional (Lima), vol. 14, 1954, pp. 14-57 and 153-221.

BINDSCHEDLER, R. "Treaties, Reservations,", *in:* Encyclopedia of Public International Law (Bernhardt ed.), Instalment 7 (1984), pp. 496 et seq.

BISHOP, William W. "Reservations to Treaties", Recueil des cours de l'Académie de droit international de La Haye, vol. 103, 1961(II), pp. 245-341.

BOKOR-SZEGÖ, Hanna. A nemzetközi szerzödésekhez fûzött fentartások, Közgazdasàgi es jogi könyvkiado, Budapest, 1961, 311 pages.

BONET PEREZ, Jordi. Las reservas a los tratados internacionales (JB ed.), Barcelona, 1996, 207 pages.

BOWETT, D. W. "Reservations to Non-Restricted Multilateral Treaties", British Year Book of International Law, vol. 48, 1976-77, pp. 67-92.

CERETI, Carlo. Saggio sulle riserve, Università cattolica del Sacro Cuore, Milan, Série II, vol. 34, 1932, 27 pages.

CHAUDHRI, Mohammed Ahsen. "Reservations to Multilateral Treaties", De lege pactorum. Essays in Honor of Robert Renbert Wilson, Durham, N.C., 1970, pp. 40-52.

Inter-American Juridical Committee. Study to serve as a basis for the preparation of a second draft text of rules on reservations to multilateral treaties, Pan American Union, Washington, D.C., May 1957, 58 pages.

Inter-American Juridical Committee. Reservation of theoretical adherence to multilateral treaties (Report prepared in accordance with resolution XI of the Fourth Meeting of the Inter-American Council of Jurists), General Secretariat, OAS, Washington, D.C., OEA/Ser.I/VI.2 CIJ-57, February 1961, 6 pages.

COPALAKRISHNAN, R. "Reservations to Multilateral Treaties", Vyavahara Nirnaya, vol. 4, 1955, pp. 168-209.

COX, William C. "Reservations to Multipartite Conventions", *in:* Proceedings of the American Society of International Law (Forty-Sixth Annual Meeting, Washington, D.C., April 24-26, 1952), Washington, D.C., 1952, pp. 26-35.

CRAYEN, Alexander Dietrich von. Die Vorbehalte im Völkerrecht, thesis, Zürich, 1938, 100 pages.

DRAGHICHI, Mariana and DRAGHICHI, Gheorghe. "Réserves aux traités internationaux", Analele Universitatii Bucuresti, vol. 32, 1983, pp. 25-30.

DURDENEVSKII, V. N. "K voprosu ob ogovorkakh v mezhdunarodnykh dogovorakh (On the Question of Reservations to Multilateral Treaties)", Sovetskoe gosudarstvo i prava, 1956, No. 4, pp. 97-100.

EDWARDS, Richard W. Jr. "Reservations to Treaties", Michigan Journal of International Law, vol. 10, 1989, pp. 362-405.

FENWICK, Charles G. "Reservations to Multilateral Treaties", Inter-American Juridical Yearbook, 1950-1951, pp. 37-47.

FENWICK, Charles G. "When is a Treaty not a Treaty?", Editorial Comment, American Journal of International Law, vol. 46, 1952, pp. 296-298.

FILIPPOV, S. V. Ogovorki v teorii i praktike mezhdunarodnogo dogovora, IMO, Moscow, 1958.

FITZMAURICE, Sir Gerald. "Reservations to Multilateral Conventions", International and Comparative Law Quarterly, vol. 2, 1953, pp. 1-26.

FITZMAURICE, Sir Gerald. "The Law and Procedure of the International Court of Justice 1951-4: Treaty Interpretation and Other Treaty Points", British Year Book of International Law, vol. 33, 1957, pp. 203-293 (spec. pp. 272-293).

FLAUSS, Jean-François. "Les réserves aux résolutions des Nations Unies", Revue générale de droit international public, vol. 85, 1981, No. 1, pp. 5-37.

FRANGULIS, A. F. "Les réserves", Dictionnaire diplomatique, Académie diplomatique internationale, Paris, tome II, 1933, pp. 560-561.

FROWEIN, J. A. "Reservations and the international ordre public", *in:* Theory of International Law at the Threshold of the 21st Century: Essays in Honour of Krysztof Skubiszewski, Kluwer, The Hague, 1996, pp. 403-412.

GAÍDAROV, Konstantin. "Sushchnost i opredeleni na rezervite kum mnogostrannite mezhdunarodni dogovori", Pravna mis., vol. 23, 1979 (6), pp. 5-18.

GAÍDAROV, Konstantin. "Suvremenite pravni metodi na dogovariane i rezervite pri podpisvaneto na mnogostrannite dogovori", Izvestiia na Instituta za Pravni Nauki, (Sofia), vol. 16, 1965, pp. 97-122.

GAJA, Giorgio. "Reservations to Treaties and the Newly Independent States", Italian yearbook of international law, vol. 1, 1975, pp. 52-68.

GAJA, Giorgio. "Unruly Treaty Reservations", *in:* Le droit international à l'heure de sa codification. Etudes en l'honneur de Roberto Ago, Giuffrè, Milan, vol. I, 1987, pp. 307-330.

GENET, Raoul. "Les réserves dans les traités", Revue de droit international, de sciences diplomatiques et politiques, vol. 10, 1932, pp. 95-114, 232-240 and 308-319.

GLASER, Edwin and IACOBESCU N. "Unele probleme privind rezervele la tratatele internationale multilaterale", Justitia Nova, 1961, No. 2, pp. 330-345.

GLASER, Edwin. Rezervele la tratatele internationale, Editura Academiei Republicii Socialiste România, Bucharest, 1971, 292 pages.

GOMEZ ROBLEDO, A. "Las reservas en los tratados multilaterales", Revista de la Escuela nacional de jurisprudencia, (Mexico D.F.), vol. 7, 1957, No. 25-26, pp. 11-34.

GOPALAKRISHNAN, R. "Reservations to Multilateral Treaties", Vyavahara Nirnaya, vol. 4, 1955, pp. 168-209.

GORMLEY, W. Paul. "The Modification of Multilateral Conventions by means of 'Negotiated Reservations' and other 'Alternatives': A Comparative Study of the ILO and Council of Europe", Fordham Law Review, vol. 39, October 1970-March 1971, pp. 39-59.

GREEN, L. C. "Reservations to Multilateral Conventions", The International Law Quarterly, vol. 4, 1951, pp. 228-229.

GREIG, D. W. "Reservations: Equity as a Balancing Factor?", Australian Yearbook of International Law, vol. 16, 1995, pp. 21-172.

GUBIN, V. F. "Voznikovenie i razvitie instituta ogovorok k mnogostoronnim dogovoram", Sovetskii ezhegodnik mezhdunarodnogo prava, 1960, pp. 232-242.

HALAJCZUK, Bodland Tadeo. "Les conventions multilatérales entre l'universalité et l'intégrité", Revue de droit international, de sciences diplomatiques et politiques, vol. 38, 1960, pp. 38-50 and 147-158.

HAUCHMANN-TCHERNIAK, Tamara. "La question des réserves dans les conventions devant la Cour internationale de Justice", Revue de droit international, de sciences diplomatiques et politiques, vol. 35, 1957, pp. 421-429.

HOLLOWAY, Kaye. Les réserves dans les traités internationaux, L.G.D.J., Paris, Bibliothèque de droit international, tome V, 1958, 378 pages.

HOLLOWAY, Kaye. Modern Trends in Treaty Law. Constitutional Law, Reservations and the Three Modes of Legislation, Stevens, London/New York, 1967, 737 pages.

HORN, Frank. Reservations and Interpretative Declarations to Multilateral Treaties, North-Holland, Amsterdam, 1988, 514 pages.

HOWELL, John M. "Reservations in Agreements for Pacific Settlement of Disputes", De lege pactorum. Essays in Honor of Robert Renbert Wilson, Durham, N.C., 1970, pp. 130-147.

HUDSON, Manley O. "Reservations to Multipartite International Instruments", Editorial Comment, American Journal of International Law, vol. 32, 1938, pp. 330-335.

IMBERT, Pierre-Henri. Les réserves aux traités multilatéraux. Evolution du droit et de la pratique depuis l'avis consultatif donné par la Cour internationale de Justice le 28 mai 1951, Pédone, Paris, 1979, 503 pages.

JARASS, Hans D. "Die Erklärung von Vorbehalten zu völkerrechtlichen Verträgen", Die öffentliche Verwaltung, vol. 28, 1975, pp. 117-123.

JOBST, Valentine. "Reservations to Multipartite Treaties", American Journal of International Law, vol. 31, 1937, pp. 318-321.

JOVANOVIC, Bozidar. "Pitanje rezervi uz multilateralne konvencije pred UN", Arkhiv za pravne i drustvene nauke, Belgrade, 1951, pp. 449-458.

JULLY, Laurent. "Les réserves aux conventions multilatérales", Die Friedens-Warte, (Bâle), vol. 51, 1952, pp. 255-275.

KAPPELER, Dietrich. Les réserves dans les traités internationaux, Verlag für Recht und Gesellschaft, Bâle, 1958, 101 pages.

KHADJENOURI, Mahmoud. Les réserves dans les traités internationaux, thesis, Université de Genève 1933; Ambilly-Annemasse, 1953, 256 pages.

KOH, Jean Kyongun. "Reservations to Multilateral Treaties: How International Legal Doctrine Reflects World Vision", Harvard International Law Journal, vol. 23, 1982, pp. 71-116.

KÜHNER, Rolf. Vorbehalte zu multilateralen Völkerrechtlichen Verträgen, Springer-Verlag, Berlin, 1986, 307 pages.

LAUTERPACHT, Hersch. "Some Possible Solutions to the Problem of Reservations to Treaties", *in:* The Grotius Society Transactions for the Year 1953, London, vol. 39, 1954, pp. 97-118.

MAJOROS, Ferenc. "Das aktuelle Problem der Gegenseitigkeit bei Vorbehalten: Von der II. Haager Friedenskonferenz über die Wiener Vertragsrechtskonvention bis zur Resolution von Dijon", Friedens-Warte, vol. 66, 1986, pp. 216-251 and vol. 67, 1987, pp. 82-100.

MALKIN, H. William. "Reservations to Multilateral Conventions", British Year Book of International Law, vol. 7, 1926, pp. 141-162.

MEEK, Marcellus R. "International Law: Reservations to Multilateral Agreements", De Paul Law Review, vol. 5, 1955, pp. 40-74.

MONACO, Riccardo. "Le riserve agli accordi internationali e la competenza parlamentare", Rivista di diritto internazionale, vol. 37, 1954, pp. 72-81.

OWADA, Hisashi. "Study on treaty reservations and declarations", *in:* International Law, UN and Japan, Festschrift Takano, Tokyo, 1988, pp. 361-384 (in Japanese).

OWEN, Marjorie. "Reservations to Multilateral Treaties", Yale Law Journal, vol. 38, 1928-1929, pp. 1086-1114.

PIPER, Catherine Logan. "Reservations to Multilateral Treaties: The Goal of Universality", Iowa Law Review, vol. 71, 1985, pp. 295-322.

PODESTA-COSTA, Luis A. "Les réserves dans les traités internationaux", Revue de droit international, Paris, vol. 21, 1938, pp. 1-52.

POMME DE MIRIMONDE, Albert. Les traités imparfaits. Les réserves dans les traités internationaux, Jouve, Paris, 1920, 158 pages.

PRIETO ACEVEDO, Javier. Las reservas en las convenciones multilaterales, thesis, University of Chile, Santiago, 1963.

RAO, K. Narayan. "Reservations to Multilateral Conventions", Indian Journal of International Law, vol. 1, July 1960, pp. 92-99.

REDGWELL, Catherine. "Universality or Integrity? Some Reflections on Reservations to General Multilateral Treaties", British Year Book of International Law, vol. 64, 1993, pp. 245-282.

ROSSANIGO, Livio Bernardo. "Las reservas en las convenciones multilaterales", Boletín de la Facultad de Derecho y Ciencias Sociales - Universidad Nacional de Córdoba (Argentina), vol. 26, 1962, No. 4, pp. 113-160.

RUDA, José M. "Reservations to Treaties", Recueil des cours de l'Académie de droit international de La Haye, vol. 146, 1975(III), pp. 95-218.

RUDA, José Maria. "Las reservas a las convenciones multilaterales", Revista de derecho internacional y ciencias diplomáticas (Argentina), vol. 12, 1963, pp. 7-85.

SABATE LICHTSCHEIN, Domingo. "Las reservas en los tratados multilaterales", Revista de ciencias juridicas y sociales (Argentina), vol. 21, 1959, pp. 109-182.

SANDERS, William. "Reservations to Multilateral Treaties Made in the Act of Ratification or Adherence", American Journal of International Law, vol. 33, 1939, pp. 488-499.

SANTA PINTER, José Julio. Las reservas a los convenios multilaterales, Roque Depalma, Buenos Aires, 1959, 94 pages.

SAPIENZA (Rosario). Dichiarazioni interpretative unilaterali e trattati internazionali, A. Giuffrè, Università di Catania, Pubblicazioni della Facoltà di Giurisprudenza, Milan, 1996, 291 pages.

SCHEIDTMANN, U. Der Vorbehalt beim Abschluss völkerrechlichter Verträge, Berlin-Grunewald, Verlag für Staatswissenschaften und Geschichte, 1934, 80 pages.

SCHERMERS, H. G. "The Suitability of Reservations to Multilateral Treaties", Nederlands Tijdschrift voor Internationaal Recht, vol. 6, 1959, pp. 350-361.

SCHWEISFURTH, Theodor. "Vorbehalte zu internationalen Verträgen unter besonderer Berücksichtigung der östlichen Vertragstheorie", Internationales Recht und Diplomatie, 1970(II), pp. 46-68.

SHATZKY, Boris. "Las reservas en el derecho internacional", Revista de derecho de la Universidad de Concepción (Chile), vol. 3, 1935, pp. 161-180.

SZAFARZ, Renata. "Reservations to Multilateral Treaties", Polish Yearbook of International Law, vol. 2, 1970, pp. 239-316.

TARABAY, T. L'objet et le but des traités internationaux, thesis, Paris, 1984, 330 pages (mimeo).

TREVIRANUS, Hans D. "Vorbehalte zu mehrseitigen Verträgen - Wohltat oder Plage?", German Yearbook of International Law, vol. 25, 1982, pp. 515-527.

VIALA, Alexandre. "Les réserves d'interprétation: un outil de resserrement de la contrainte de constitutionnalité", Revue de droit public et de la science politique en France et à l'étranger, 1997, pp. 1047-1067.

VITTA, Eduardo. Le riserve nei trattati, G. Giappichelli, Turin, Università di Torino, Istituto giuridico (Memorie serie II, Memoria 47), 1957, 154 pages.

WASHBURN, A. H. "Treaty Amendments and Reservations", Cornell Law Quarterly, vol. 5, 1919-1920, pp. 247 et seq.

WHITEMAN, Marjorie M. ed. "Reservations and interpretation", *in:* Digest of International Law, Department of State Publications, Washington, D.C., vol. 14, 1970, pp. 137-193.

WILSON, Robert. "Reservation Clauses in Agreements for Obligatory Arbitration", American Journal of International Law, vol. 23, 1929, pp. 68-94.

WOLKWITZ, W. Vorbehalte in Kollektivverträgen, thesis, Bonn, 1968.

WRIGHT, Quincy. "Amendments and Reservations to Treaties", Minnesota Law Review, vol. 4, 1919-1920, pp. 14-39.

B. STUDIES ON PARTICULAR ASPECTS OF THE PROBLEMS OF RESERVATIONS

1. Lawfulness, opposability and effects of reservations

(a) Pan-American practice

Inter-American Juridical Committee. Report on the Juridical Effects of Reservations to Multilateral Treaties, Pan American Union, 1957, 35 pages.

GAÍDAROV, Konstantin. "Praktikata na amerikanskite durzhavi v materiyata na rezervite kum mezhdunarodnite dogovori", God. na Sofijskija Univ., vol. 73, 1980, pp. 225-253.

GORMLEY, Paul W. "The Influence of the United States and the Organization of American States on the International Law of Reservations", Inter-American Law Review (New Orleans), vol. 7-8, 1965-1966, pp. 127-184.

KUZNETSOV, S. A. "Praktika organizatsii amerikanskykh gosudarstv v voprose ob ogovorkakh k mezhamerikanskim mnogostoronnim dogovoram", Sovetskii ezhegodnik mezhdunarodnogo prava, 1959, pp. 373-387 (summary in English, pp. 384-387).

OEA. Memorandum Explicativo sobre el Sistema de Formulación de Reservas a los Tratados Multilaterales en la Organización de los Estados Americanos, OEA, May 1981, 46 pages.

(b) **Commentaries on the 1951 ICJ Advisory Opinion**

BISHOP, William W. "Reservations to the Convention on Genocide. International Court of Justice, Advisory Opinion, May 28, 1951", American Journal of International Law, vol. 45, 1951, pp. 579-590.

BRANDON, Michael. "Legal Nature of a Reservation to a Multilateral Convention. Genocide Convention.", Canadian Bar Review, vol. 29, 1951, pp. 428-434.

DIEZ DE VELASCO VALLEJO-GALLO, Manuel. "El sexto dictamen del Tribunal internacional de justicia: las reservas a la convención sobre el genocidio", Revista española de derecho internacional, vol. 4, 1951, pp. 1029-1089.

HOCKENJOS, Hans Rudolf. Vorbehalte zur Genocide-Vereinbarung, Besprechung des Gutachtens des Internationalen Gerichtshofs im Haag vom 28 mai 1951, thesis, Bâle, 1951, 154 pages (mimeo).

KERNO, Ivan S. "L'avis consultatif de la Cour internationale sur les réserves à la Convention sur le génocide", Bulletin des Nations Unies, vol. X, No. 12, 15 June 1951, pp. 600-601.

RAALT, E. van. "Het advies van het Internationale Gerechtshof over voorbehouden betrefende de genocide-conventie. Een nieuwe, aanvechtbare regel", Rechtsgeleerd Magazijn Themis, No. 5, 1951, pp. 398-426.

ZOUREK, Jaroslav. "Posudek Mezinárodního soudniho dvora ze dne 28 kvetna 1951 o výhradách k úmluve o zabráneni a potrestáni zlocinu genocidia", Studie z mezinárodniho práva, Prague, vol. II, 1956, pp. 81-102.

(c) **Commentaries on the work of the ILC in regard to reservations**

FENWICK, Charles G. "Reservations to Multilateral Treaties", Editorial Comment, American Journal of International Law, vol. 45, 1951, pp. 145-148.

FENWICK, Charles G. "Reservations to Multilateral Conventions: The Report of the International Law Commission", American Journal of International Law, vol. 46, 1952, pp. 119-123.

LIANG, Yuen Li. "The Third Session of the ILC: Review of its Work by the General Assembly. Reservations to Multilateral Conventions", American Journal of International Law, vol. 46, 1952, pp. 483-503.

NAWAZ, M. K. "The International Law Commission's Views on the Subject of Reservations to Multilateral Conventions", Indian Journal of International Law, vol. 1, 1960, pp. 100-108.

OGAWA, Yoshihiko. "Codification of the Rules on Reservations by the International Law Commission - (1)", Kokusai Ho gaiko Zasshi, Tokyo, vol. 66, 1967, pp. 62-98 (in Japanese, summary in English).

OGAWA, Yoshihiko. "Reservations to Multilateral Treaties - Examinations into Articles 16-20 of the ILC Draft", Kokusai Ho gaiko Zasshi, vol. 4, December 1968, pp. 416-430 (in Japanese).

TOMUSCHAT, Christian. "Admissibility and Legal Effects of Reservations to Multilateral Treaties. Comments on Article 16 and 17 of the International Law Commission's Draft Articles on the Law of Treaties", Zeitschrift für ausländisches öffentliches Recht und Völkerrecht, vol. 27, 1967, pp. 463-482.

(d) **Commentaries on the provisions of the Vienna Convention on the Law of Treaties**

CALAMIA, Antonio M. "La disciplina delle obiezioni alle riserve e la Convenzione di Vienna sul diritto dei trattati", Studi in onore di Guiseppe Sperduti, Guiffrè, Milan, 1984, pp. 3-37.

COK, Vida. "O rezervama nespojivim sa predmetom i ciljevima medunarodnog ugovara" (summary in English: Reservations Incompatible with the Object and Purpose of International Treaties), Jugoslovenska Revija za Medunarodno Pravo, vol. 34, 1987 (1/2), pp. 168-183.

GAÍDAROV, Konstantin. "Yuridicheska validnost i deistvie na rezervite kum mnogostrannite dogovori spored rezhima na Vienskata Konventsiya za pravoto na dogovorite ot 1969 g.", Pravna mis., 22, 1978 (4), pp. 31-41.

GREIG, D. W. "Reciprocity, Proportionality and the Law of Treaties", Virginia Journal of International Law, vol. 32, 1994, pp. 295-403.

HILPOLD, Peter. "Das Vorbehaltsregime der Wiener Vertragsrechtskonvention" [Le régime des réserves de la Convention de Vienne sur le droit des traités], Archiv des Völkerrechts, vol. 34, 1996, pp. 376-425.

HYLTON, Daniel N. "Default Breakdown: The Vienna Convention on the Law of Treaties. Inadequate Framework on Reservations", Vanderbilt Journal of Transnational Law, vol. 27 (2), 1994, pp. 419-451.

MAJOROS, Ferenc. "Le régime de réciprocité de la Convention de Vienne et les réserves dans les Conventions de La Haye", Journal du droit international, 1974, No. 1, pp. 73-109.

NIETO NAVIA, Rafael. "Las reservas a los tratados multilaterales en la Convención de Viena de 1969", Rev. Universitas, (Bogotá), vol. 46, June 1974, pp. 283-315.

NISOT, Joseph. "Les réserves aux traités et la Convention de Vienne du 23 mai 1969", Revue générale de droit international public, vol. 77, 1973, No. 1, pp. 200-206.

REY CARO, Ernesto J. "Las reservas a la Convención de Viena de 1969 sobre el derecho de los tratados", Boletin de la Facultad de Derecho y Ciencias Sociales, Univ. Cordoba, Argentina, vol. 39, 1975, pp. 55-119.

ZEMANEK, Karl. "Some Unresolved Questions Concerning Reservations in the Vienna Convention on the Law of Treaties", *in:* Essays in International Law in Honour of Judge Manfred Lachs, Nijhoff, The Hague, 1984, pp. 323-336.

(e) **Consolidated studies**

ACCIOLY, Hildelbrand. "Efectos jurídicos de las reservas a los tratados multilaterales", Boletin da Sociedade Brasileira de direito internacional (Rio de Janeiro), vol. 11, 1955, pp. 157-173.

BENTZ, Jacques. La validité des réserves aux traités internationaux multilatéraux, thesis, Aix-Marseille, 1954, 294 pages (mimeo).

BORISOV, S. "Suverennoe pravo gosudarstv-uchastnikov mnogostoronnykh dogovorov zaiavliat ogovorki", Sovetskoe Gosudarstvo i Pravo, 1952, No. 4, pp. 64-69.

CAHA, Zdenek. "Právní význam výhard k mnohostranným smlouvám a námitek porti nim", Studie z mezinárodního práva (II), Prague, vol. 2, 1956, pp. 103-134.

DURDENJEWSKY, V. N. "The Effect of Objections to Treaty Reservations", Yale Law Journal, vol. 60, 1951, pp. 728-735.

HERRERA MARCANO, Luis. "Estudio del efecto jurídico de las reservas a los tratados multilaterales", Revista de la Facultad de Derecho, Universidad Central de Venezuela, vol. 12, 1957, pp. 87-120.

JOVANOVIC, Bozidar. "Princip reciprociteta kod rezervi uz medunarodne", Jugoslovenska revija za medunarodno prava, Belgrade, 1954, pp. 74-83.

KELLOGG, Frank B. "Effect of Reservations and Amendments to Treaties", American Journal of International Law, vol. 13, 1919, pp. 767-773.

McRAE, D. M. "The Legal Effect of Interpretative Declarations", British Year Book of International Law, vol. 49, 1978, pp. 155-173.

MENDELSON, Maurice H. "Reservations to the Constitution of International Organisations", British Year Book of International Law, vol. 45, 1971, pp. 137-171.

MIGLIORINO, Luigi. "La revoca di riserve e di obiezioni a riserve", Rivista di diritto internazionale, vol. 75, 1992, pp. 315-334.

MIGLIORINO, Luigi. "Effetti giuridici delle obiezioni a riserve incompatibili con l'oggetto e lo scopo del trattato", Rivista di diritto internazionale, vol. 77, 1994(3), pp. 635-654.

MILLER, David H. Reservations to Treaties: Their Effect and the Procedure in Regard Thereto, Washington, D.C., 1919, 171 pages.

PARK, T. S. "The Legal Effect of Reservation and Understanding in American Law", Korean Journal of International Law, vol. 7, 1962, pp. 333-350.

RUDA, José Maria. "Los efectos jurídicos de las reservas a los tratados multilaterales", Anuario Jurídico Interamericano, 1982, pp. 1-67.

SAHOVIC, Milan. "Nova faza ukrazvoju procedure prihvatanja rezervi na multilateralne konvencije", Arhiv za pravne i drustvene nauke, Belgrade, vol. 47, 1960, pp. 157-162.

SCOTT, Gary L. and CARR, Graig L. "Multilateral Treaties and the Formation of Customary International Law", Denver Journal of International Law and Policy, vol. 25, 1996, pp. 71-94.

SHATZKY, Boris. "La portée des réserves dans le droit international", Revue de droit international et de législation comparée, vol. 14, 1933, pp. 216-234.

SUCHARIPA-BEHRMANN, L. "The Legal Effects of Reservations to Multilateral Treaties", Austrian Review of International and European Law", vol. 1, 1996, pp. 67-88.

VERHOEVEN, J. "Droit des traités, réserves et ordre public (*jus cogens*)", Journal des tribunaux, vol. 113, 1994, pp. 765-768.

2. Reservations to specific conventions

(a) Reservations and human rights and humanitarian law conventions

(i) General problems

ABRAMS, Paula. "Reservations about Women: Population Policy and Reproductive Rights", Cornell International Law Journal, vol. 29, 1996, pp. 1-41.

CHINKIN and others, GARDNER, J. P. (ed.), Human Rights as General Norms and a State's Right to Opt Out: Reservations and Objections to Human Rights Conventions, The British Institute of International and Comparative Law, London, 1997.

CHUECA SANCHO, A. G. "Las reservas a los Tratados de Derechos Humanos", *in:* Documentación Jurídica, tomo 19; No. 74, 1992, pp. 11-141.

COCCIA, Massimo. "Reservations to Multilateral Treaties on Human Rights", California Western International Law Journal, vol. 15, 1985, pp. 1-51.

COHEN-JONATHAN, Gérard. "Les réserves dans les traités institutionnels relatifs aux droits de l'homme: nouveaux aspects européens et internationaux", Revue générale de droit international public, vol. 100, 1996, pp. 915-949.

DHOMMEAUX, Jean. "La coordination des réserves et des déclarations à la Convention européenne des droits de l'homme et au Pacte international relatif aux droits civils et politiques" in Flauss, Jean-François and de Salvia, Michel (dir.): La Convention européenne des droits de l'homme: Développements récents et nouveaux défis, Bruylant, Bruxelles, 1997, pp. 13-37.

FROWEIN, Jochen Abr. "Reservations to the European Convention on Human Rights", *in:* Protecting Human Rights: The European Dimension. Studies in Honour of G. J. Wiarda (Matscher and Petzold eds.), Carl Heyman, Köln, 1988, pp. 193-200.

GIEGERICH, Thomas. "Vorbehalte zu Menschenrechtsabkommen: Zulässigkeit, Gültigkeit und Prüfungskompetenzen von Vertragsgremien. Ein konstitutioneller Ansatz", Zeitschrift für ausländisches öffentliches Recht und Völkerrecht, vol. 55, 1995, pp. 713-778 (summary in English, pp. 778-782).

GLOVER, Rupert Granville. "International Humanitarian Law ... with Reservations?", The Canterbury Law Review, vol. 2, 1984, pp. 220-229.

GRAEFRATH, Bernhard. "Vorbehalte zu Menschenrechtsvertragen, Neue Projekte und alte Streitfragen" [Reservations to Human Rights Treaties, New Projects and Old Controversies], Humanitäres Völkerrecht, vol. 9, 1996, pp. 68-75.

HENKIN, Louis. "U.S. Ratification of Human Rights Conventions: the Ghost of Senator Bricker - Editorial Comment", American Journal of International Law, vol. 89, 1995, pp. 341-350.

HIGGINS, R. "Derogations under Human Rights Treaties", British Year Book of International Law, vol. 48, 1976-77, pp. 281-320.

IMBERT, Pierre-Henri. "Les réserves, les dérogations: La question des réserves et les conventions en matière de droits de l'homme", *in:* Actes du cinquième colloque international sur la Convention européenne des droits de l'homme (Francfort, 9-12 avril 1980), Pédone, Paris, 1982, p. 119 et seq.

IMBERT, Pierre-Henri. "Reservations and Human Rights Conventions", The Human Rights Review, vol. 6, 1981, pp. 28-60.

LIJNZAAD, Liesbeth. Reservations to U.N. Human Rights Treaties: Ratify and Ruin?, T.M.C. Asser Institut - Nijhoff, Dordrecht, 1994, 468 pages.

LILLICH, Richard B. ed. U.S. Ratification of the Human Rights Treaties: with or without Reservations?, University Press of Virginia, Charlottesville, 1981, 203 pages.

RAMA-MONTALDO, Manuel. "Human Rights Conventions and Reservations to Treaties", *in:* Héctor Gros Espiell Amicorum Liber - Personne humaine et droit international, Bruylant, Bruxelles, 1997, vol. II, pp. 1261-1277.

REDGWELL, Catherine J. "Reservations to Treaties and Human Rights Committee General Comment No. 24(52)", International and Comparative Law Quarterly, vol. 46, 1997, pp. 390-412.

RUIZ-MORENO, Isidoro. "Reservations to Treaties Relating to Human Rights", International Law Association, Report of the 54th Conference, The Hague, 1970, pp. 642-645 (debate pp. 596-625).

SCHABAS, William. "Reservations to Human Rights Treaties: Time for Innovation and Reform", Annuaire canadien de droit international, 1994, pp. 39-81.

SHELTON, Dinah. "State Practice on Reservations to Human Rights Treaties", Canadian Human Rights Yearbook, vol. 1, 1983, pp. 205-234.

SIMMA, Bruno. "Reservations to Human Rights Treaties - Some Recent Developments" *in:* Liber Amicorum Professor Seidl-Hohenveldern - in honour of his 80th birthday (Hafner, Loibl, Rest, Sucharipa-Behrmann, Zemanek, ed.), the Netherlands, 1998, pp. 659-682.

YAKUSHIJI, Kimio. "Treatment of Reservations Made to the International Conventions on Human Rights", Kokusai Ho gaiko Zasshi, vol. 83, 1984 (4), pp. 1-60 (in Japanese - summary in English).

YAMAZAKI, Kosi. "Reservations to human rights treaties", Kagawa Hogaku, vol. 3, 1983 (1), pp. 53-122 (in Japanese).

(ii) Reservations to particular human rights or humanitarian law conventions

- Geneva Conventions

AUBERT, M. "Les réserves formulées par la Suisse lors de la ratification du Protocole additionnel aux Conventions de Genève relatif à la protection des victimes des conflits armés internationaux", *in:* Etudes et essais sur le droit international humanitaire et sur les principes de la Croix-Rouge en l'honneur de Jean Pictet, Martinus Nijhoff, Genève, 1984, pp. 139-145.

BOUDREAULT, Lise S. "Les réserves apportées au Protocole additionnel I aux Conventions de Genève sur le droit humanitaire", Revue québécoise de droit international, vol. 6, 1989/1990, pp. 105-119.

PILLOUD, Claude. "Les réserves aux conventions de Genève de 1949", Revue internationale de la Croix-Rouge, 1957, pp. 409-437.

PILLOUD, Claude. "Die Vorbehalte zu den Genfer Abkommen von 1949", Revue internationale de la Croix-Rouge, Genève, 1958, German suppl.

PILLOUD, Claude. "Les réserves aux conventions de Genève de 1949", Revue internationale de la Croix-Rouge, 1965, pp. 315-324.

PILLOUD, Claude. "Les réserves aux conventions de Genève de 1949", Revue internationale de la Croix-Rouge, vol. 58, 1976, pp. 131-149 and 195-221.

PRUGH, G. S. "American Issues and Friendly Reservations Regarding Protocol I Additional to the Geneva Conventions", Revue de droit militaire et de droit de la guerre", vol. 31, 1992, pp. 223-293.

SCHMIDT, Jürgen. Vorbehalte zu multilateralen Vertragen unter dem Aspekt des intertemporalen Völkerrechts: eine Untersuchung am Beispiel des Genfer Giftgasprotokolls vom 17 Juni 1925 (Bochumer Schriften zur Friedenssicherung und zum Humanitären Völkerrecht; 9), Universitatsverlag N. Brockmeyer, Bochum, 1992, 154 pages.

- European Convention on Human Rights

BONIFAZI, Angela. "La disciplina delle riserve alla Convenzione europea dei diritti dell'uomo", *in:* Les clauses facultatives de la Convention européenne des droits de l'homme (Actes de la table ronde organisée à Bari les 17 et 18 décembre 1973 par la faculté de droit de l'Université de Bari), Levante, Bari (Italie), 1974, pp. 301-319.

BOURGUIGNON, Henry J. "The Belilos Case: New Light on Reservations to Multilateral Treaties", Virginia Journal of International Law, vol. 29, 1989 (II), pp. 347-386.

BRÄNDLE, Dieter. Vorbehalte und auslegende Erklärungen der Europäischen Menschenrechtskonvention, thesis, Zurich, 1978.

CAMERON, Iain and HORN, Frank. "Reservations to the European Convention on Human Rights: The Belilos Case", German Yearbook of International Law, vol. 33, 1990, pp. 69-129.

COHEN-JONATHAN, Gérard. "Les réserves à la Convention européenne des droits de l'homme (à propos de l'arrêt Belilos du 29 avril 1988)", Revue générale de droit international public, 1989, pp. 273-314.

COHEN-JONATHAN, Gérard. "L'affaire Loizidou devant la Cour européenne des droits de l'homme. Quelques observations.", Revue générale de droit international public, janvier-mars 1998, No. 1, pp. 123-144.

COUSSIRAT-COUSTERE, Vincent. "La réserve française à l'article 15 de la Convention européenne des droits de l'homme", Journal du droit international, 1975, pp. 269-293.

FLAUSS, Jean-François. "Le contentieux de la validité des réserves à la CEDH devant le Tribunal fédéral suisse: Requiem pour la déclaration interprétative relative à l'article 6, par. 1", Revue universelle des droits de l'homme, vol. 5, 1993, pp. 297-303.

FROWEIN, J. A. "Reservations to the European Convention on Human Rights" *in:* Protecting human rights: the European dimension. Studies in honour of Gerard J. Warda, C. Heymanns Verlag, Köln, 1988.

IMBERT, Pierre-Henri. "Les réserves à la Convention européenne des droits de l'homme devant la Commission de Strasbourg (Affaire Temeltasch)", Revue générale de droit international public, 1983, pp. 580-625.

IMBERT, Pierre-Henri. "Reservations to the European Convention on Human Rights Before the Strasbourg Commission: The Temeltasch case", International and Comparative Law Quarterly, vol. 33, 1984, pp. 558-595.

KÜHNER, Rolf. "Vorbehalte und auslegende Erklärungen zur Europäischen Menschenrechtskonvention. Die Problematik des Art. 64 MRK am Beispiel der schweizerischen 'auslegenden Erklärung' zu Art. 6 Abs. 3 lit. e MRK", Zeitschrift für ausländisches öffentliches Recht und Völkerrecht, vol. 42, 1982, pp. 58-92 (summary in English).

LILLICH, Richard B. "The Soering Case", American Journal of International Law, vol. 85, 1991, pp. 128-149.

MACDONALD, R. St. J. "Reservations under the European Convention on Human Rights", Revue belge de droit international, vol. 21, 1988, pp. 429-450.

MARCUS-HELMONS, S. "L'article 64 de la Convention de Rome ou les réserves à la Convention européenne des droits de l'homme", Revue de droit international et de droit comparé, vol. 45, 1968, pp. 7-26.

MARKS, Susan. "Reservations Unhinged: The Belilos Case before the European Court of Human Rights", International and Comparative Law Quarterly, vol. 39, 1990, pp. 300-327.

PIRES, Maria Jose Morais. "As reservas a Convenção europeia dos direitos do homen", Livraria Almedina, Coimbra, Portugal, 1997, 493 pages.

SAPIENZA, Rosario. "Sull'ammissibilità di riserve all'accettazione della competenza della Commissione europea dei diritti dell'uomo", Rivista di Diritto Internazionale, vol. 70, 1987, pp. 641-653.

SCHABAS, William A. "Article 64", *in:* La Convention européenne des droits de l'homme: commentaire article par article (Decaux, Imbert et Pettiti eds.), Economica, Paris, 1995, pp. 923-942.

TOMUSCHAT, Christian. "Turkey's Declaration under Article 25 of the European Convention on Human Rights", *in:* Fortschritte im Bewußtsein des Grund- und Menschenrechte. Festschrift für F. Ermacora, Kehl, 1988, pp. 119 et seq.

WANG, Dang. "L'affaire Belilos: le premier arrêt déclarant l'invalidité d'une réserve", Chinese Yearbook of International Law, 1990, pp. 284-296 (in Chinese).

WESTERDIEK, Claudia. "Die Vorbehalte Liechtensteins zur Europäischen Menschenrechtskonvention", Europäische Grundrechte Zeitschrift, vol. 10, 1983, pp. 549-553.

- International Covenant on Civil and Political Rights

GREEN, Christian M. "The 'Matrioshka' Strategy: US Evasion of the Spirit of the International Covenant on Civil and Political Rights", South African Journal on Human Rights, vol. 10, 1994, pp. 357-371.

MERIEUX, Margaret de. "Reservations to the International Covenant on Civil and Political Rights: Their Substantive and Constitutive Significance", Revue de droit international de sciences diplomatiques et politiques, vol. 72, 1994, pp. 95-130.

NANDA, Ved P. "The United States Reservation to the Ban on the Death Penalty for Juvenile Offenders: An Appraisal Under the International Covenant on Civil and Political Rights", DePaul Law Review, vol. 42, 1993, pp. 1311 et seq.

QUIGLEY, John. "Criminal Law and Human Rights: Implications of the United States Ratification of the International Covenant on Civil and Political Rights", Harvard Human Rights Journal, vol. 6, 1993, pp. 59 et seq.

SCHABAS, William A. "Les réserves des Etats-Unis d'Amérique aux articles 6 et 7 du Pacte international relatif aux droits civils et politiques", Revue universelle des droits de l'homme, vol. 6, 30 septembre 1994, pp. 137-150.

SCHABAS, William A. "Invalid Reservations to the International Covenant on Civil and Political Rights: Is the United States Still a Party?", Brooklyn Journal of International Law, vol. XXI, 1995, pp. 277-325.

SHELTON, Dinah. "Issues Raised by the United States Reservations, Understandings and Declarations", *in:* United States Ratification of the International Covenants on Human Rights (H. Hannum and D. D. Fischer, eds.), New York, 1993, pp. 276 et seq.

SHERMAN, Edward F. "The U.S. Death Penalty Reservation to the International Covenant on Civil and Political Rights: Exposing the Limitations of the Flexible System Governing Treaty Formulation", Texas International Law Journal, vol. 29, 1994, pp. 69-93.

STEWART, David P. "U.S. Ratification of the Covenant on Civil and Political Rights: The Significance of the Reservations, Understandings and Declarations", Human Rights Law Journal, vol. 14, 1993, pp. 77-83.

TRIGGS, G. D. "Australia's Ratification of the International Covenant on Civil and Political Rights: Endorsement or Repudiation?", International and Comparative Law Quarterly, 1982, pp. 278-306.

- Convention on the Elimination of All Forms of Discrimination against Women

BRANDT, Michele and KAPLAN, Jeffrey. "The Tension Between Women's Rights and Religious Rights: Reservations to CEDAW by Egypt, Bangladesh and Tunisia", Journal of Law and Religion, vol. 12, 1995/1996, pp. 105-142.

CLARK, Belinda. "The Vienna Convention Reservations Regime and the Convention on Discrimination Against Women", American Journal of International Law, 85, 1991, pp. 281-321.

COOK, Rebecca. "Memorandum: Re Reservations to the Convention on the Elimination of All Forms of Discrimination Against Women", International Women's Rights Action Watch, 5 January 1987.

COOK, Rebecca J. "Reservations to the Convention on the Elimination of All Forms of Discrimination Against Women", Virginia Journal of International Law, vol. 30, 1990, pp. 643-716.

JENEFSKY, Anna. "Permissibility of Egypt's Reservations to the Convention on the Elimination of all Forms of Discrimination against Women", Maryland Journal of International Law and Trade, vol. 15, 1991, pp. 199-233.

MAYER, Ann Elizabeth. "Reflections on the Proposed United States Reservations to CEDAW: Should the Constitution Be an Obstacle to Human Rights?", Hastings Constitutional Law Quarterly, vol. 23, 1996, pp. 727-823.

ÅKERMARK SPILIOPOULOU, Sia and MÅRSÄTER, Olle. "Otillåtna reservationer - Maldivernas reservation mot kvinnodiskrimineringskonventionen" [Unlawful reservations - The reservation of the Maldives to the Convention on the Elimination of All Forms of Discrimination against Women], Mennesker og rettigheter, 1995, No. 4, pp. 382-399 (in Swedish - summary in English).

- Convention on the Rights of the Child

LEBLANC, Lawrence J. "Reservations to the Convention on the Rights of the Child: a Macroscopic View of State Practice", International Journal of Children's Rights, vol. 4, 1996, pp. 357-381.

SCHABAS, William. "Reservations to the Convention on the Rights of the Child", Human Rights Quarterly, vol. 18, 1996, pp. 472-491.

- Other human rights conventions

BLAY, Samuel K. N. and TSAMENYI, Martin B. "Reservations and Declarations Under the 1951 Convention and the 1967 Protocol Relating to the Status of Refugees", International Journal of Refugee Law, vol. 2, 1990, pp. 527-561.

CASSESE, Antonio. "Su alcune 'riserve' alla Convenzione sui diritti politici della donna", Rivista di Diritto Internazionale, vol. 51, 1968, pp. 294-314.

CASSESE, Antonio. "A New Reservations Clause. Article 20 of the U.N. Convention on the Elimination of all Forms of Racial Discrimination", Recueil d'études de droit international en hommage à Paul Guggenheim, Institut universitaire des hautes études internationales, Geneva, 1968, pp. 266-304.

COLELLA, Alberto. "Les réserves à la Convention de Genève (28 juillet 1951) et au Protocole de New York (31 janvier 1967) sur le statut des réfugiés", Annuaire français de droit international, 1989, pp. 446-475.

FRANKOWSKA, M. "The United States Should Withdraw its Reservations to the Genocide Convention: a Response to Professor Paust's Proposal", Michigan Journal of International Law, vol. 12, 1990, pp. 141-149.

GANESSIAN, Grant. "The Effect of Reservations on the Entry into Force of the American Convention (Arts. 74 and 75), Advisory Opinion No. OC-2/82, Inter-American Court of Human Rights, September 24, 1982", American Journal of International Law, vol. 77, 1983, pp. 640-642.

GORNIG, Gilbert and MARTIN, Ney. "Die Erklärungen der DDR zur UN-Antifolterkonvention aus völkerrechtlicher Sicht. Ein Beitrag zur Zulässigkeit von Vorbehalten und ihren Rechtsfolgen", Juristen Zeitung, vol. 43, 1988, pp. 1048-1053.

HAUGESTAD, Arnhild. Reservations to the United Women's Convention: With Special Focus on Reservations Submitted by Muslim Countries, Oslo, Institutt for Offentlig Retts skriftserie, 1995, 94 pages.

(b) Reservations to other codification conventions

(i) General problems

ENZWEILER, Josef A. "Der Vorbehalt in den Konventionen innerhalb der Vereinten Nationen", Annales Universitatis Saraviensis, Recht- und Wirtschafts-wissenchaften, Universitat Saarbrücken, vol. 6, fasc. I, 1958, pp. 1-86.

FERRER SANCHIS, Pedro Antonio. Problemática de las Reservas en los Convenios de Derecho Internacional Publico y Privado, Valencia, 1954.

TEBOUL, Gérard. "Remarques sur les réserves aux conventions de codification", Revue générale de droit international public, vol. 86, 1982, pp. 679-717.

(ii) Reservations to private international law conventions

DROZ, Georges A. L. "Les réserves et les facultés dans les Conventions de La Haye de droit international privé", Recueil des cours de l'Académie de droit international de La Haye, vol. 58, 1969, pp. 381-424.

FLECHTNER, Harry M. "The several texts of the CISG in a Decentralized System: Observations on Translations, Reservations and Other Challenges to the Uniformity Principle in Article 7 (1)" (Symposium: Ten Years of the United Nations Sales Convention), Journal of Law and Commerce, vol. 17, 1998, pp. 187-217.

HUNT, Alan Reeve. "Reservations to Commercial Treaties Dealing with Aliens' Rights to Engage in the Profession", Michigan Law Review, vol. 52, 1954, pp. 1184-1198.

MARINICH, S. V. "Tolkovanie i primenenie ogovorok o natsional'noi bezopasnosti v mezhdunarodnykh ekonomicheskikh dogovorakh", Vestnik Moskovskogo Universiteta, Seriia Pravo, vol. 44, 1989, pp. 65-70.

MÜLLER, P. Die Vorbehalte in Übereinkommen zur Privatrechtsvereinheitlichung, Beiträge zum ausländischen und internationalen Privatrecht, vol. 45, Tübingen, 1979.

QUEL-LOPEZ, F. J. "Las reservas en los convenios de La Haya de Derecho Internacional Privado", Revista Española de Derecho Internacional, vol. 45, 1993, pp. 115-129.

(iii) Reservations to specific conventions

- Law of Treaties

BARRADO, Cástor M. Díaz. Reservas a la Convención sobre Tratados entre Estados, Tecnos, Madrid, 1991, 205 pages.

GUICHARD, ALVES Raul. "Alguns aspectos do regime das reservas aos Tratados na Convenção de Viena de 1969", Direito e Just., vol. 7, 1993, pp. 139-159.

REY CARO, Ernesto J. "Las reservas a la Convención de Viena de 1969 sobre el derecho de los tratados", Revista de Derecho Internacional y Ciencias Diplomaticas, (Rosario), vol. 21, 1972, pp. 168-225.

REY CARO, Ernesto J. "Las reservas de la Republica Argentina a la Convención sobre el derecho de los tratados, El 'estoppel' y la clausula 'rebus sic stantibus'", Anuario de derecho internacional, vol. 2, 1975, pp. 189 et seq.

SZTUCKI, Jerzy. "Some Questions arising from Reservations to the Vienna Convention on the Law of Treaties", German Yearbook of International Law, vol. 20, 1977, pp. 277-305.

VISSCHER, Charles De. "Une réserve de la République arabe de Syrie à la Convention de Vienne (1969) sur les traités", Revue belge de droit international, vol. 8, 1972, pp. 416-418.

- Law of the Sea

BLAY, S. K. N., PIOTROWICZ, R. W. and TSAMONSKY, B. M. "Problems with the Implementation of the Third United Nations Law of the Sea Convention: The Question of Reservations and Declarations", Australian Yearbook of International Law, 1991, pp. 67 et seq.

GAMBLE, John King, Jr. "The 1982 U.N. Convention on the Law of the Sea: a 'Midstream' Assessment of the Effectiveness of Article 309", San Diego Law Review, vol. 24, 1987, pp. 627-644.

GAMBLE, John King. "Lessons from the First Decade of the UN Convention on the Law of the Sea: Reservations and Progress Toward Entry into Force", *in:* Essays in Honour of Wang Tieya, Nijhoff, Dordrecht, Netherlands, 1994, pp. 333-346.

GLASER, David M. "Murder in the Casbah or the Effect of Morocco's Jurisdictional Reservation to the Vienna Convention on Diplomatic Relations", New York University Journal of International Law and Politics, vol. 11, 1978, pp. 299-321.

HAZOU, Linda L. "Determining the Extent of Admissibility of Reservations: Some Considerations with regard to the Third U.N. Conference on the Law of the Sea", Denver Journal of International Law and Policy, vol. 9, 1980, pp. 69-83.

IMBERT, Pierre-Henri. "La question des réserves dans la décision arbitrale du 30 juin 1977 relative à la délimitation du plateau continental entre la République française et le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord", Annuaire français de droit international, 1978, pp. 29-58.

KNIGHT, Gary H. "The Potential Use of Reservations to International Agreements produced by the Third United Nations Conference on the Law of the Sea" *in:* Policy Issues in Ocean Law, Studies in Transnational Legal Policy, The American Society of International Law, No. 8, 1975, pp. 1-52.

McDORMAN, Ted L. "Reservations and the Law of the Sea Treaty", Journal of Maritime Law and Commerce, vol. 13, 1982, pp. 481-519.

MIGLIORINO, Luigi. "Declarations and Reservations to the 1971 Seabed Treaty", The Italian Yearbook of International Law, vol. 6, 1985, pp. 106-123.

NAKAMURA, Ko. "Déclarations unilatérales à la Convention des Nations Unies sur le droit de la mer", Kokusai Ho gaiko Zasshi, vol. 83, 1984 (6), pp. 1-32 (in Japanese - summary in English).

SINGH, Narinder. "The Issue of Reservations to the Proposed Law of the Sea Convention", Indian Journal of International Law, vol. 19, 1979, pp. 76-96.

VIGNES, D. "Les déclarations faites par les Etats signataires de la Convention des Nations Unies sur le droit de la mer sur la base de l'article 310", Annuaire français de droit international, 1983, pp. 715-748.

(c) **Reservations to other specific conventions**

GROS ESPIELL, Héctor. "Reservas y Declaraciones en los Protocolos Adicionales al Tratado de Tlatelolco", Revista Uruguaya de Derecho Internacional, vol. 5, 1982, pp. 167-204.

GROS ESPIELL, Héctor. "Reservations and declarations in the additional protocols to the Treaty of Tlatelolco", Dalhousie Law Journal, vol. 12, 1989, pp. 226-255.

GUTIERREZ ESPADA, Cesáreo. "'Reservas' propuestas en el Congreso de los diputados al convenio sobre responsibilidad internacional por daños causados por objetos espaciales", Anales de derecho, [Spain], 1982, pp. 79-90.

MARSTON, Geoffrey ed. "United Kingdom Materials on International Law 1984 (Part Six: I.B)", British Year Book of International Law, vol. 55, 1984, pp. 510-514.

POMME DE MIRIMONDE, Albert. "Les réserves dans les traités et l'accord de Washington", Revue politique et parlementaire, 1927, pp. 194-205.

STEWART, Gwyneth D. "Enforcement Problems in the Endangered Species Convention: Reservations regarding the Reservation Clauses", Cornell International Law Journal, vol. 14, 1981, pp. 223-280.

(d) **Reservations to the optional clause concerning compulsory jurisdiction of the ICJ**

AGUILAR-MAWDSLEY, Andrés. "Aceptación de la jurisdicción de la Corte Internacional de Justicia: reservas a la cláusula opcional", Revista de Derecho Público, Caracas, Ed. Juridica Venezolana, 1993, pp. 5-46.

ALEXANDROV, Stanimir A. Reservations in Unilateral Declarations Accepting the Compulsory Jurisdiction of the International Court of Justice, Martinus Nijhoff, The Hague, 1995, 192 pages.

BRIGGS, Herbert W. "Reservations to the Acceptance of the Compulsory Jurisdiction of the International Court of Justice", Recueil des cours de l'Académie de droit international de La Haye, vol. 93, 1958 (I), pp. 237-367.

CRAWFORD, James. "The Legal Effect of Automatic Reservations to the Jurisdiction of the International Court of Justice", British Year Book of International Law, vol. 50, 1979, pp. 63-86.

DOLZER, R. "Connally Reservation", *in:* Encyclopedia of Public International Law (Bernhardt ed.), Instalment 1 (1981), pp. 55 et seq.

FUMEL, Henryk de. Les réserves dans les déclarations d'acceptation de la juridiction obligatoire de la Cour internationale de Justice, Indoux, Nancy-Saint Nicolas de Port, 1962, 32 pages.

GROSS, L. "Bulgaria Invokes the Connally Amendment", American Journal of International Law, 1962, pp. 357-382.

HENKIN, Louis. "The Connally Reservation Revisited and Hopefully Contained", American Journal of International Law, 1971, pp. 374-377.

HUDSON, Manley O. "The American Reservations and the Permanent Court of International Justice", American Journal of International Law, 1928, pp. 776-796.

HUDSON, Manley O. "The Cuban Reservations and the Revision of the Statute of the Permanent Court of International Justice", American Journal of International Law, vol. 26, 1932, pp. 590-594.

JENNINGS, R. Y. "Recent Cases on the 'Automatic' Reservations to the Optional Clause", International and Comparative Law Quarterly, 1958, pp. 349-366.

LEIGH, Monroe. "Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America)", American Journal of International Law, vol. 79, 1985, pp. 442-446.

MAUS, Bertrand. Les réserves dans les déclarations d'acceptation de la juridiction obligatoire de la CIJ", *in* Travaux de juridiction internationale (Paul Guggenheim, dir.), librairie Droz, Genève, and librairie Minard, Paris, 1959.

MAUS, Bertrand. Les réserves dans les déclarations d'acceptation de la juridiction obligatoire de la Cour internationale de Justice, Droz, Genève, 1959, 214 pages.

ODA, Shigeru. "Reservations in the Declarations of Acceptance of the Optional Clause and the Period of Validity of those Declarations: the Effect of the Schultz Letter", British Year Book of International Law, vol. 59, 1988, pp. 1-30.

POTTER, P. B. "As Determined by the United States", American Journal of International Law, 1946, pp. 792-794.

ROGERS, W. P. "The United States 'Automatic' Reservation to the Optional Clause Jurisdiction of the International Court of Justice", International and Comparative Law Quarterly, 1958, pp. 758-762.

WILLIAMS, Sir John F. "The Optional Clause", British Year Book of International Law, 1930, pp. 63-84.

YANKOV, Aleksandúr. "Reservite v deklaratsiite za priemane zadubzhitelnata iurisdiktsiia na Mezhdunarodniia Sud i tiakhhoto vliianie vurzhu kompetentnostta na Suda", Godisnik na Sofiiskia universitet Iuridiceskii Fakultet (Sofia), vol. 52, 1961, pp. 457-598.

3. Study of practice concerning reservations

(a) State practice[1]

Comisión Nacional de Derechos Humanos; Reservas Formulados por México a Instrumentos Internacionales sobre Derechos Humanos, 1996, 95 pages.

Council of Europe; Expression of Consent by States to be Bound by a Treaty, Strasbourg, 1987, 122 pages.

EL MOUTAOUAKIL. La pratique marocaine de réserves aux traités, thesis, Université Hassan II, Maroc, 1981.

FLAUSS, Jean-François. "Note sur le retrait de la France des réserves aux traités internationaux", Annuaire français de droit international, 1986, pp. 857-867.

GAMBLE, John King, Jr. "Reservations to Multilateral Treaties: A Macroscopic View of State Practice", American Journal of International Law, vol. 74, 1980, pp. 372-394.

GÖTTLING, Egon. Vorbehalte zu internationalen Vertragen in der sowietischen Völkerrechtstheorie und Vertragspraxis, thesis, Hamburg, 1967.

---

[1] On State practice regarding reservations to specific conventions, see B.2 supra.

GUBIN, V. F. "Reservations to multilateral treaties in the practice of developing States", works of the Patrice Lumumba University of Friendship among Peoples, Moscow, tome XX (Economics and law), fasc. 2, 1967, pp. 85-106 (in Russian).

GUBIN, V. F. "Sovetskii Soiuz i ogovorki k mnogostoronnim dogovoram", Sovetskii ezhegodnik mezhdunarodnogo prava (Moscow), 1959, pp. 126-143.

HENKIN, Louis. "The Treaty Makers and the Law Makers: The Niagara Power Reservation", Columbia Law Review, vol. 56, 1956, pp. 1151-1182.

KAPPELER, Dietrich. "Praxis der Depositare multilateraler Staatsverträge gegenüber Vorbehalten", Schweizerisches Jahrbuch für internationales Recht, vol. 20, 1963, pp. 21-40.

KAUFMANN, Natalie Hevener. Human Rights Treaties and the Senate: a History of Opposition, University of North Carolina Press, Chapel Hill, 1990, 256 pages.

KENNEDY, Kevin C. "Conditional Approval of Treaties by the U.S. Senate", Loyola of Los Angeles International and Comparative Law Journal, vol. 19, 1996, pp. 89-172.

OPESKIN, Brian R. "Federal States in the International Legal Order", Netherlands International Law Review, vol. 43, 1996, pp. 353-386.

QUEL LOPEZ, Javier. Las Reservas a los tratados internacionales: un examen de la práctica espazola, Servicio Ed. Univ. del País Vasco, Bilbao, 1991, 456 pages.

(b) **Practice of international organizations**

ÅKERMARK SPILIOPOULOU, Sia. "Reservations Clauses in Treaties Concluded within the Council of Europe", to be published *in:* International and Comparative Law Quarterly, 1999.

Conseil de l'Europe, Assemblée parlementaire; Rapport sur les réserves formulées par des Etats membres aux conventions du Conseil de l'Europe, Rapporteur: M. Gundersen, doc. 6856, 3 juin 1993.

IMBERT, Pierre-Henri. "A l'occasion de l'entrée en vigeur de la Convention de Vienne, sur le droit des traités - Réflexions sur la pratique suivie par le Secrétaire general des Nations Unies dans l'exercise de ses fonctions de depositaire", Annuaire français de droit international, 1980, pp. 524-541.

LIANG, Yuen Li. "The Practice of the United Nations with respect to Reservations to Multipartite Instruments", American Journal of International Law, vol. 44, 1950, pp. 117-128.

United Nations, Secretary-General. "Practice of the Secretary-General in his capacity as depository of multilateral treaties regarding (1) reservations and objections to treaties not containing provisions in that respect (2) correction of errors in the original of a treaty. Aide Memoire", United Nations Juridical Yearbook, 1976, pp. 209-216.

United Nations Secretary-General. Summary of the practice of the Secretary-General as depository of multilateral treaties, United Nations, ST/LEG/7/Rev.1 and corrigendum, 1997.

RASCHHOFER, Hermann. "Die Vorbehalte der Bundesrepublik Deutschland bei der Aufnahme der diplomatischen Beziehungen mit der Sowjetunion", *in:* Recht im Dienste der Menschenwürde, Festschrift für Herbert Kraus, Würzburg, 1964, pp. 231 et seq.

SCHACHTER, Oscar. "Development of International Law through the Legal Opinions of the United Nations Secretariat. Part VII, Reservations to Multipartite Treaties", British Year Book of International Law, vol. 25, 1948, pp. 122-127.

SCHACHTER, Oscar. "The Question of Treaty Reservations at the 1959 General Assembly", Editorial Comment, American Journal of International Law, vol. 54, 1960, pp. 372-379.

SMETZ, Paul F. "Les réserves aux conventions multilatérales. La conception soviétique", Bulletin du Centre d'étude des pays de l'Est (Université libre de Bruxelles), vol. 6, juin 1965, pp. 7-36.

SZAFARZ, Renata. "Reservations and Objections in the Treaty Practice of Poland", Polish Yearbook of International Law, vol. 6, 1974, pp. 244-266.

TREVIRANUS, Hans D. "Vorbehalte zu normativen völkerrechtlichen Vertragen in der Staatspraxis der Bundesrepublik Deutschland", Die öffentliche Verwaltung, vol. 29, 1976, pp. 325-330.

OAS. Report of the Committee on Juridical and Political Affairs on Standards on Reservations to Inter-American Multilateral Treaties and Rules for the General Secretariat as Depository of Treaties, OAS, Permanent Council, OAS Ser. G, CP/Doc. 1830/87, 19 August 1987, 33 pages.

Union postale universelle. Bureau international. "Rapport sur les réserves présenté au dix-septième Congrès, Lausanne 1974", Document Congrès (document No. 6), 8 pages.